उपसभापती

कालिंग अटेंशन में राइट आफ रिप्लाई नहीं होता।

It is the Minister who has the right of reply and he is replying

अब आप मिनिस्टर साहब को सन्नाटे में सुनिये।

SHRI M. L. FOTEDAR: Madam Deputy Chairman, as I said already, our approach to the problem is very constructive and we look into the problem with fair-mindedness. I do not want to mention any of the points which the hon. Members have made. But I would like to make an appeal, through you, Madam, that all the demands of the striking doctors will be looked into and discussed sympathetically, with an open mind.

SHRI P. UPENDRA: "All" underlined.

SHRI M. L. FOTEDAR: I can assure this House that there will be no victimisation against the striking doctors.

THE DEPUTY CHAIRMAN: That is very good.

SHRI M. L. FOTEDAR: We have been only watching the situation so far, either as silent observers, or, as observers having anguish. We have not acted so far. Nor do I have any intention to act against these people who help us in mitigating human suffering.

So far, I have not made an appeal. I can say in the House that the Prime Minister also did not make an appeal. Somebody asked whether the Prime Minister made an appeal. The Prime Minister did not make an appeal. I also have not made any appeal. I saw the consensus in the House. In pursuance of that, I hope the House will join me in appealing to the striking doctors to immediately return to work so that I will be in a position to call them for immediate discussion. I hope the House will join me in sending this signal to the striking doctors so that they come back to work forthwith.

THE DEPUTY CHAIRMAN: I feel this is a very good beginning. It is a good message going from this House. It is good that the Minister has come forward, seeing the consensus in the House. The consensus in the House is because Members feel about the suffering of the people and also of the doctors. Keeping everything in mind, the Minister, the Government, is coming forward. I think we should all support it, unanimously. Let this signal go to the doctors to withdraw the strike and come back to work so that negotiations can start. Otherwise, how to start negotiation? Is it agreed to?

HON. MEMBERS: Yes.

THE DEPUTY CHAIRMAN: Now, we take up the next Business.

STATUTORY RESOLUTION SEEKING APPROVAL OF PRESIDENT'S PROCLAMATION UNDER ARTICLE 356 OF THE CONSTITUTION IN RELATION TO MEGHALAYA

AND

MOTION FOR REVOCATION OF THE PROCLAMATION—Contd.

SHRI V. NARAYANASAMY (Pondicherry): Madam, I rise to support the Statutory Resolution moved by the hon. Home Minister and oppose the Motion moved by Shri Mathurji and hon. Shri Swell. I am very happy that the senior Member, hon. Swell, did not attribute anything to the act of the Governor. He said that the Governor had acted without any bias.

While going through the report, one could find out that the Governor, after coming to know that the Ministry headed by Lyngdoh had lost the majority, he had chosen to give minimum two months' time to the then Chief Minister to prove his strength on the floor of the House. Madam, the Speaker's issue is taken from there. They have been accusing the Congress party, stating that the Congress Party was engineering defections. I would like to say in this august House that as far as Meghalaya was concerned, the defection was engineered by the then National Front Government. One Central Minister, Shri George Fernandes, went to Gauhati and started operating from there.

[The Vice-Chairman (Dr. Nagen Saikia) in the Chair]

In the month of March, 1990 the Sangma's Government which had the majority was disturbed by the National Front Government headed by Shri V. P. Singh. Madam, we had raised the issue in this House also.

SHRI MENTAY PADMANABHAM (Andhra Pradesh): There is no 'Madam' in the Chair now. You seem to be confused.

SHRI S. K. T. RAMACHANDRAN (Tamil Nadu): He is exposing your confusion.

SHRI V. NARAYANASAMY: I am sorry. Sir, they will not agree when I say that George Fernandes was behind toppling of the democratically elected Government in various States.

SHRI MENTAY PADMANABHAM: Who is now behind this toppling?

SHRI V. NARAYANASAMY: Now there is an accusation from the other that the Speaker acted in favour of the Congress party and he did not act judiciously. He was the very same Speaker when Sangma Government was toppled. At that time, this Speaker was very good for them because he had cooperated with them. Now when the Speaker has acted according to the provisions of te anti-defection law, he is considered to have acted in a partisan way.

Sir, Meghalaya is not the one case. Let us take the case of Goa. They have been accusing the Congress for toppling non-Congress governments in States, but what happened in Goa? It is also the Speaker who wanted to become the Chief Minister. Mr. George Fernandes went there, landed in Goa, disturbed the then Congress Government and then saw to it that the Speaker became the Chief Minister there. All that time the National Front Government was there. The BJP was supporting, the CPM and CPI parties were supporting. When we raised the issue here, there was no response from them. All of them kept silent. Now suddenly they find that the Congress is toppling the non-Congress Governments in States. This is a very sorry state of affairs. The National Front Government openly disturbed the Congress-ruled States and not the accusation from them that the Congress Party is toppling the non-Congress Government cannot be taken for granted.

Sir, the Speaker is the custodian of the House. We acted according to the provisions of the anti-defectionlaw. Apetition was before him. He disqualified five persons. The Assembly was reconvened. The Speaker has got the prerogative either to take the order of the Supreme Court or not. It was within his rights. Therefore, the Speaker found that he cannot take the order of the Supreme Court. Thereafter he said that the four votes cast by those four Members will not be taken into account. When there was a tie, he cast his vote in favour of the Opposition, and the Government was fell.

[(Shri V. Narayansamy]

What should the Chief Minister have done? He should have resigned his position when he found that he is not enjoying a majority in the House. On the contrary, when the Speaker adjourned the House on the 8th of October, the Assembly was further convened. One of the Members of the Legislative Assembly was elected as Speaker, and he was put in the Chair, and the Speaker was disqualified by them. Sir, it was not forming part of the record of the Assembly proceedings, and the officres who were sitting in the House, were compelled to sit there and record the proceedings. They acted in an undemocratic way without following the norms and procedures. The Chief Minister refused to resign also. The Chief Minister knows fully well that he could not produce a majority in the House. The Chief Minister who could not produce a majority in the House, wanted to continue as the Chief Minister. Therefore, Sir, the Governor had no other option than dismissing the Government and keeping the Assembly in a suspended animation.

Sir, a point that has been raised by the other side is that the course now open to the Governor is to call Mr. Lingdoh and ask him to form a government. But unless and until the Governor is satisfied that Mr. Lingdoh enjoys the support of a majority of the Members in the House, the Governor is not bound to call him to form the Government there.

Sir, the matter was pending with the Supreme Court. Now the Supreme Court has given orders for setting aside one provision of the anti-defection law and that the order passed by the Speaker can be set aside by the Supreme Court. This is one of the latest orders passed by the Supreme Court.

Now, Sir, I would like to say that according to my information the Congress Party and its allies enjoy the a majority. They also elected their leader.

SHRI KAMAL MORARKA (Rajasthan): You have elected the Speaker as your leader.

SHRI V. NARAYANASAMY: We have not elected the Speaker as the leader?

SHRI KAMAL MORARKA: Yes, he has elected himself.

SHRI V. NARAYANASAMY: Let him get elected. You have not elected him.

Sir, we stated our claim to form a government. The Governor gave his opinion that the Members were defecting from one group to another and that, therefore, he was not satisfied. Now we have got sufficient strength. We have also staked our claim to form a government there. Therefore, the Congress Party and its allies should be called by the Governor to form a government, and then he can give time to them to prove their strength on the floor of the House.

Sir, a lot of criticism has come from the other side.

SHRI KAMAL MORARKA: Sir, with your permission, one minute may I take?

You just now said that the Congress Party should be invited to form a government. That means you agree with us that President's Rule should be revoked.

SHRI V. NARAYANASAMY: When we prove our majority....

SHRI KAMAL MORARKA: Without revoking President's Rule you cannot form a government. You want the Governor to invite you. But at least you agree with us on revocation. Without revoking President's Rule, You cannot form a government.

SHRI V. NARAYANASAMY: Revocation only after approving it. Only after approving it does the point arise. You are not following me. (*Interruptions*). The circumstances have changed after the imposition of President's Rule and keeping the Assembly under suspended animation on 9th October. That has to be seen. I does not understand what I am speaking now. In the changed circumstances I am speaking now. I am telling you that in the changed circumstances we enjoy a majority. (*Interruptions*)

SHRI DIPEN GHOSH (West Bengal): It is very difficult to understand you.

SHRI V. NARAYANASAMY: I don't want to comment on that. Now, since the Congress party got the majority, the Governor even earlier should have called us to form the Government, but he did not do so. Instead he gave his finding that the four persons who had defected, were going this side or that side. Therefore, the Governor has taken a decision on the basis of which the President has issued his proclamation and the assembly has been kept under suspended animation. Now the proclamation is coming for the purpose of approval before the House. Because they do not understand it, I want to explain it in a simple language. According to the present status after the House adopts the Resolution here, I submit that we may be called for the purpose of forming the Government there. The decision of the President and the Governor sending the memorandum to the President is well within their right and the Governor acted judicially. Therefore, it does not call for any criticism. Since the criticism was made against the Speaker, it was for the other side to take appropriate action against the Speaker if they want. Since the procalamation issued by the President is within his power, I want this House to adopt it and reject the Motion moved by the two hon. Members.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Mr. Kamal Morarka. Time allotted is ten minutes.

SHRI KAMAL MORARKA: Eleven minutes are already there and I seek your indulgence. (*Interruptions*)

Many times we have discussed many States where Article 356 had been invoked, but in the political history of this country after independence, this is the strangest and the queerest case that the House is discussing. In most cases, as the Member said, there is Aya Ram Gaya Ram and there is a doubt about the loyalty of the MLAs on one side or the other. Therefore, the Speaker is confused, the Governor is confused and the Constitutional machinery breaks down. Here is the funniest case in which not one MLA has defected, not one day the Chief Minister has lost his majority not even for five minutes was Mr. Lyndoh in minority in the House and yet they say Constitutional machinery has broken down. What has happened is that there was one gentleman who occupied the chair of the Speaker. He has been consumed with the overwhelming ambition to become Chief Minister. In politics that is all right. I have no quarrel with anybody trying to become Chief Minister, but he has to quit as Speaker. What has happened? What are the facts of this case? Everybody is arguing eloquently about morality. I don't want to discuss the political morality of the Congress Party just now, but what are the facts of the case?

SHRI V. NARAYANASAMY: What was your morality when you defected from the National Front?

SHRI KAMAL MORARKA: I said I don't want to discuss morality. Why are you worried?

SHRI V. NARAYANASAMY: Don't say the Congress Party alone. Say National Front also. If you say that, I agree with you.

SHRI KAMAL MORARKA: Because the time is short and I want to focus attention on this blatant illegality, the question of morality will not come. (*Interruptions*) Sir, will I be allowed to speak?

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Please carry on. Mr. Narayanasamy, please don't interrupt. Don't steal the time of the House.

SHRI KAMAL MORARKA: The Governor's Report on the basis of which the Centre has promulgated the President's Rule, I presume is acceptable. That report itself says the Governor himself has come to the conclusion that there are 30 MLAs on one side and 26 on one side. But the Speaker has given out his intention to disqualify four MLAs. Yet knowing these facts the Governor is asking the Chief Minister to summon the Assembly. In most cases I humbly submit there is a lot of confusion about the MLAs' loyalty outside the legislature. Therefore, we all agree that the strength should be tested on the floor of the House to clear the confusion. Here is the case where the Governor knew that the confusion will be created on the floor of the House. There was no confusion outside. Even the Governor knows 30 people are with the Chief Minister and 26 are with the other party. He knows the Speaker's intention. The Governor has said in his report that the Speaker is inspiring to become the Chief Minister. I have never heard such a report from any Governor. Look at the conduct of the Speaker. The House meets. He declares four people disqualified under the tenth Schedule. No show cause notice was issued; no reason was given. Four MLAs have not resigned from any party. They have not applied to the Speaker. The Speaker *Suo motu* save 'you are disqualified'. Okay, as a Parliamentarian agreeing with this great Congress party, I will give the benefit of doubt to the Speaker. He genuinely thought that these four people are disqualified. So he disqualified them.

Therefore, I will give him the benefit of doubt. After he took voting it was 26 versus 26. To remove all doubts about him, he cast his vote with the Opposition. He wants to make it clear: "Please do not accuse me of impartiality. My intention is clear. I disqualified four members and I will disqualify any number required so that I can declare that this Government is in minority."

Sir, Constitutional machinery in Meghalaya never broke down. It is an artificial machination to prove that the Constitutional machinery has broken down. I humbly submit that the Governor should have refused to call the Assembly. He should have disciplined the Speaker in his own way. He should have told the Chief Minister : "You continue in office." However, theoretically the floor of the Assembly is the best place to test the majority. Okay, you call this 26 versus 26. Sir, even at that time those four MLAs had moved the Supreme Court. The Supreme Court has given an interim order saying that their votes should be counted for determining the majority of the Government. The Speaker has blatantly, openly declared: "I will not allow the Supreme Court to have jurisdiction in the legislative affairs." I in my individual capacity do not approve of judiciary versus legislature. But if we want our autonomy to be maintained, we must have self-discipline. You cannot run amuck. You cannot have a Speaker like that. While remaining as the Speaker, he declares himself as the leader of the opposition and staked his claim to form the Government. That means the system has broken down. We have brought this ignominy to ourselves that the Supreme Court has interfered with the legislative affairs. Sir, rightly so. What is the Government's stand? There is the Governor's report. You say that whatever the Speaker has done, what, we, the Central Government can do, it is 26 versus 26. the Speaker has cast his vote, we have no choice. They had a choice because there was an interim order of the Supreme Court. They

could have told the Governor to direct the Speaker to count those votes. You did not do it. Your invocation of article 356 is on the thin thread of disregarding the Supreme Court's interim order. That is all. That is the small thread on which Mr. Jacob stands and says that they had no choice but to declare President's rule. In all humility, I submit that this thin thread has now disappeared. The Supreme Court in its final order has struck down paragraph 7 of the Tenth Schedule that the Speaker's order is not justiciable. There four MLAs legally under the Constitution have got a right to vote but their votes were nullified. Now the numbers are known. The Speaker of Meghalaya's intention is known. Thirty-one people are with Lyngdoh. Twenty-six people are in the Opposition. I do not understand after the Supreme Court's judgement. What is it that the Central Government is waiting for? I do not want to go into the details. Somebody talked of political morality. I do not want to go into that discussion. The Congress party is within its right to send its emissaries and try to engineer defections. That is the game of politics. Anti-Defection Act was brought by Mr. Rajiv Gandhi and not by us. Through his speeches, he wanted to cleanse the politics. Sir, see the action of the Congress party. Have they suspended the Speaker from the membership of their party? Have they told the Speaker that he should not stake his claim for the Chief Ministership? What is the signal they have sent? The signal even today they are giving is: "We will not allow a popular Government to come back, unless the majority is with the Congress party." That is the signal. If that is the signal, there is no Constitution. The next thing is you will have the Supreme Court interfering whenever you invoke article 356. One day the Supreme Court will say: "We will judge whether article 356 has been correctly invoked or not." What we are inviting is the Supreme Court's entry purely into a political domain. We are inviting them because of our behaviour, because of our misdemeanour. We have nobody else to blame for it. If one Speaker is acting in a funny way, it is their job to discipline him. I do not want to enlarge the scope of the discussion. What has happened in Goa? What has happened in other places? Speakers have gone amuck in this country. This Tenth Schedule has been reduced to the judiciousness of the Speaker. Speakers are openly acting in a partisan way. I am most baffled to see that in this case which is a transparent and open case, Mr. Jacob is not doing anything. I expected Mr. Jacob to get up and say that we are restoring Mr. Lyngdoh as the Chief Minister. I am not against change. If Mr. Lyngdoh tomorrow does not have majority, your man will come. What is there? Governments change every day at the Centre. Why can't they change in Meghalaya? But you cannot keep Mr. Lyngdoh out of office by this artificial mechanism of an article 356 invoaction which was contrived wrongly in the first place and its continuance after the Supreme Court judgement is nothing except a blatant violation of the law of the land and of the constitutional propriety of any type. For whatever reason Mr. Jacob has brought it, the 11th October Proclamation would have automatically ended by 11th December. There was no need of coming before the House. Still he has come before the House. Of course, we oppose it with all our might. But even at this late stage, they must announce that they have directed the Governor of Meghalaya to restore a popular Government. I agree with Mr. Narayanasamy that a popular Government should be restored. He wanted his party Government to be restored. That is fair enough. But let the Government be restored. Let the Governor take the odium of inviting the Congressmen if he wants to. If Mr. Lyngdoh can show 31 people and in spite of it, if the Governor is going to invite the other person, well, Mr. Tapase has done it before and so it can always happen. But the question is, the Central Government has no business to withhold popular rule from Meghalaya. I heard Mr Jacob saying to my

[Shri Kamal Morarka]

surprise that the detailed judgement of the Supreme Court is awaited. It has no relevance. The operating order is binding on you and section 7 has been struck down. The five MLAs have right to vote and Mr. Lyngdoh's majority is beyond doubt. The earlier they restore Mr. Lyngdoh, the less damage they will be doing to the democratic structure of the country. Thank you.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Dr. Narreddy Thulasi Reddy. (*Interruption*). Let him complete. He will take only eight minutes. Please go on Mr. Reddy.

*DR. NARREDDY THULASI REDDY (Andhra Pradesh): Mr. Vice-Chairman Sir, the incidents that took place between 2nd February, 1988 and 11th October, 1991, i.e. from the time of the Assembly elections to the imposition of President's Rule, remind me of a poem in Telugu—

"Askasamu nundi Sambhuni Sirambu andundi Seethadri, Su

Slokambaine Himadrinundi Bhuvi, Bhulokambunundi Ya

Kshokambodi payodhinundi pavanandholokamulu chere Ganga Ku

Lankasha pekku bhangul viveka bhrashta sampathamul."

which means—"The sacred river Ganga had to undergo a lot of hardships and in the end became impure, just because she lost her senses and behaved unwisely. Ganga descended on the head of Lord Shiva from Heavens then on to Himalayas, on to Earth, then to Yaksha Lok, into the seas and ultimately reached the abyss of Paathala Lok and became Profane."

Sir, when a person loses his senses or behaves unwisely he is bound to become corrupt. So, when we look back to see what happended during the past three years in the State of Meghalaya we would know how corrupt our democratic system is. India has become a laughing stock and the standard of Indian politics is deteriorating day by day.

Sir, Meghalaya is a small state, situated in the North-East. There are 60 Assembly Seats. In this State there are a number of Political parties like Congress-I HPU, HSBDF, APHSC, BDIC, Independents and their various factions. This is the political situation of this tiny state at present. Even then, compared to the other states, the situation is more peaceful. During the past three years three important incidents were held. On 2nd February, 1988 Assembly elections took place. On 6th February Sh. Sangama became the Chief Minister. On 26th March, 1990 Shri Sangma was replaced by Lingdo. After one and a half years i.e. in 1991 Presidents' rule was imposed. Who is responsible for these three incidents? Who played the key role? A great person, whose name is kindia, the Speaker. I do not know exactly which character in Mythology I can compare him with but there is a person in our Andhra Pradesh whom I can compare him with. He is Nadendla Bhaskara Rao. But then it is really difficult to decide who is greater either Kindia or Bhaskara Rao. The incidents that took place in Meghalaya this year from July to October and the role played by the centre as well as the Congress party is abominable to say the least. With the encouragement of the centre the Congress Party of the State tried to kidnap the MLAs. They tried to kidnap even the Deputy Speaker. The Ministers of the Centre Shri Sangma and Smt. Margaret Alva reached Shillong just to pressurise the Governor Shri Madhukar to invite the Congress party to form the government. By this we can understand the role played by the congress party. It has always been on the agenda of the Congress Party to dislodge all non-congress parties

*English translation of the original speech delivered in Telugu.

from power. They followed the same practice while removing Telugu Desam Party from power in 1984. But in the process they burnt their fingers and yet did not learn a lesson.

Sir, finally when Shri P. V. Narasimha Rao became the Prime Minister, the Political leaders, intellectualla, political experts were all of the opinion that he would set a new example and pave a new way but in vain:

Kanakapu Simhasanamuna
Sunakamu Koorchundabetta Subhalagnambunan
donaraga Pattamu gattina
Venukati gunamela manu gedara Sumati!

This Telugu poem literally means "On an auspicions day if you make a dog sit on a throne and make it a king, how can it forget its old habits?

Sir, in the same way the Congress Party also has not changed its old habits. Old habits die hard.

A dog's tail can never be straightened. The recent incidents which took place in Meghalaya and in Nandhyala of Andhra Pradesh the constituency from which our honorable Prime Minister contested, are to be seen as examples the dog's crooked tail. The rigging which took place in the recent elections of Nandyala is nothing but stabbing democracy in the bright day light. (*Interruptions*)...

श्री सुरेन्द्रजीत सिंह अहलुवालिया (बिहार) : यह तो समथन में खड़े थे और यहां बोलने से क्या फायदा है, वहां नांदयाल में पी. वी. नरसिंह राव के समथन में इन्होंने कैंडीडेट .हीं फील्ड किया और इनके गुरू एन० टी० रामराव ...(व्यवधान)

तेलुगू भाषा में बोल रहे हैं, अच्छी बात बोलें, क्यों दूसरे को... (व्यवधान)

SHRI JAGESH DESAI (Maharatra): What is the relevance? (Interruptions)

SHRI MENTAY PADMANABHAM: There is nothing wrong in it.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Please take your seat.
(*Interruptions*)...

SHRI S. S. AHLUWALIA: I will start speaking in Punjabi one day. What will you do? (*Interruptions*).

SHRI JAGESH DESAI: Sir, it is irrelevant. It should not go on record. (*Interruptions*)

SHRI S. S. AHLUWALIA: He doesn't know about the topograph of Meghalaya and he is talking about that. (Interruptions).

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Mr. Padmanabham, don't enter into argument. (Interruptions). Nothing will go on record. If you indulge in argument in this way, nothing will go on record. Mr. A. G. Kulkarni, what is your point of order?

SHRI A. G. KULKARNI (Maharashtra): Sir, I draw your attention that there must be some decency in the speeches. We are discussing Meghalaya. He is speaking in such a language that usually it can be heard here but not followed. He has unnecessarily brought the name of the Prime Minister. He has referred to Smt. Margaret Alva. What is the necessity. (*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): I would like to request the Members to confine themselves to the Resolution. Dr. Reddy, you are to speak on the Resolution. Please try to limit your speech within the orbit of the Resolution. Please don't go out and try to conclude.

DR. NARREDDY THULASI REDDY: Mr. Vice Chairman Sir, On 7th August, 1991 the Speaker suspended five MLAs. On 17th August, it was announced that they were disqualified. Four MLAs among them got Supreme Court's stay order on September 6th. On 7th November, 1991 Supreme Court's Deputy registrar sent a stay order to the governor. While giving the stay on the Speaker's order he specifically said—

> "We expect the Governor of Meghalaya to take the necessary steps to ensure its strict compliance and prevention of its violation by any person as provided under article 144 of the Constitution."

Sir, Congress party committed a number of mistakes as far as the State of Meghalaya is concerned. But mistakes can always be corrected. So, on behalf of my party my suggestions are—President's rule should be revoked. Assembly should be summoned. Lingdo's government should be called to prove its majority. I request the government not to make use of this state for their own selfish motives and create another Punjab or Kashmir. With these words I conclude.

Thank you.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): Sir, since yesterday I have gone through the record, I found that a number of Members have quoted... (*Interruption*)...

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh): Sir, is she speaking as a Minister?

SHRIMATI MARGARET ALVA: No, as a Member of the House. I have a right to intervene... (*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR: Is she speaking as a Minister or as a Member?

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): As a Member of the House she is speaking. She is taking part in the discussion as a Member of the House.

SHRI MENTAY PADMANABHAM: We have no obejction if she gives an explanation... (*Interruptions*)...

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Kindly listen to me. She is a Member of the House and she has every right to take part in the discussion.

SHRI JAGDISH PRASAD MATHUR: Sir, I am on a point of order. Normally the Minister intervenes or speaks on behalf of the Government.

SHRI S. S. AHLUWALIA: She is a Member of the House. Why are you forgetting this?

श्री जगदीश प्रसाद माथुर : श्रीमन्, नामली पद्धति यह है कि मंत्री इंटरवीन करता है या जवाब देता है। अगर मिसेज मारग्रेट आल्वा अपनी व्यक्तिगत बातों का सुधार करना चाहती है तो उसका स्वागत है, -किन मंत्री के नाते से इंटरवीन करें या जवाब दें, बीच में एज ए मेंबर कभी मंत्री बोलता नहीं है। यह परिपाटी है। तो मैं यह जानना चाहूंगा कि मिसेज मारग्रेट आल्वा क्या अपना व्यक्तिगत स्पष्टीकरण देने खड़ी हुई हैं, इंटरवीन कर रही हैं या जवाब दे रही हैं?

SHRI VISHVJIT P. SINGH (Maharashtra): It is totally incorrect.

(*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Mr. Mathur, the Congress Party has given her name as a speaker on this subject. She is a

Member of the House and as a Member of the House she is taking part in the discussion.

5.00 P.M.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB): I have given the name of Shrimati Margaret Alva to speak here. She is a member of my party and the Government and she is to speak as a member of my party.

SHRI JAGDISH PRASAD MATHUR: In the Parliament how can she speak? (*Interruptions*)... This is not the procedure, Sir. (*In-*(*Interruptions*)

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Sir, I am on a point of order. (*Interruptions*)...

SHRIMATI MARGARET ALVA: Sir, I have a point or order. (*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR: Ministers do not speak as Members of the House on Special Mentions or intervene or advise. (*Interruptions*)...

SHRIMATI MARGARET ALVA: Sir, I am on a point of order. (*Interruptions*)...

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): She is on a point or order. (*Interruptions*)...She is on a point of order. Let us hear her. (*Interruptions*)...She is on a point of order.

SHRIMATI MARGARET ALVA: There are several occasions in this House when more than one Minister has intervened in the course of a debate. I am also intervening in this debate. Mr. Jacob will reply to the debate. I will speak as a Member... (*Interruptions*)...

SHRI SUKOMAL SEN (West Bengal): Yes, you are right. You intervene as a Minister but not as a Member. (*Interruptions*)...

SHRIMATI MARGARET ALVA: I am speaking as a Member, and as a Minister. (*Interruptions*)...

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Sir, I am on a point of order. (*Interruptions*)...

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): He is on a point of order. (*Inetrruptions*)...

SHRI JAGESH DESAI: Sir, in the morning I have raised the issue of devaluation. (*Interruptions*)...

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): It will come later on.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Sir, this concerns the entire House. We must understand what we are. Primarily and always we are Members of this House. But some of us who become Ministers are more privileged than others. When we have a second capacity or a dual capacity of being a Minister. It is up to the choice of a Member to exercise the right of speech in his or her capacity either as a Member or as a Minister and it entirely with the hon. Minister, Shrimati Margaret Alva.

SHRIMATI JAYANTHI NATARAJAN: Sir, I am also on a point of order. (*Interruptions*)...

SHRI MENTAY PADMANABHAM: The Minister can intervene as a Member. (*Interruptions*)...

SHRIMATI MARGARET ALVA: I am intervening as a Member. (*Interruptions*)...

SHRI VISHVJIT P. SINGH: Sir, I am on a point of order. I will request the hon. Minister to yield for a second. (*Interruptions*)...

SHRI SUKOMAL SEN: Sir, I am on a point of order.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Yes, Mr. Vishvjit Singh.

SHRI VISHVJIT P. SINGH: Mr. Vice-Chairman, not only it is sought by certain hon. Members of this House to raise certain frivolous charges against other Members of the House but they also want that there should be no reply to those charges. They also feel that whatever they say should go uncontradicted. Mr. Vice-Chairman, the Rules permit that any Member of this House can intervene in a debate if asked to do so by the Chair or if requested by the leadership of their party. Mrs. Margaret Alva, an hon. Minister of the Government of India a Member of the Rajya Sabha—she is a Member of the Rajya Sabha—has an equal right to intervene in the debate. She is intervening not as a Minister; she is intervening as a Member of this House, as a member of the Congress Party, whose name has been given by Mr. Jacob who is the leader of our party. He has given the name; she is interested to speak and, I think, that would put all controversy at rest. Let there be no further interruptions and no further frivolous questions or points of order. Thank you, Mr. Vice-Chairman.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Mr. Sen what is your point of order?

SHRI SUKOMAL SEN: Sir, this is a simple point. A simple point has been made very complicated by my friends in the Congress bench. Sir, Mrs. Margaret Alva is a Minister. She is a Member of the House, we know. But as a Minister she is part of the Government. She can intervene. As a Minister definitely she has a right to intervene. (*Interruptions*)...

SHRIMATI MARGARET ALVA: I am a Member of this House. You cannot deny me the Membership of the House. (*Interruptions*)...

SHRI SUKOMAL SEN: The point is to be clarified. She can intervene as a Minister but not as a Member of the House. (*Interruptions*)...

SHRIMATI MARGARET ALVA: You cannot take away my right to be a Member of this House.

SHRI SUKOMAL SEN: The Prime Minister is also a Member of the House.

SHRIMATI MARGARET ALVA: You cannot take away my right as a Member of the House.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): She is a Member of the House and at the same time she is an honourable Minister. Now I ask her to make her speech by way of intervening.

SHRIMATI MARGARET ALVA: Mr. Vice-Chairman, since yesterday—I have seen the record—I have been repeatedly mentioned in the House. In fact, one honourable Member has gone to the extent of saying that my interest in Meghalaya springs from the fact that I am even having ambitions of becoming the Chief Minister of Meghalaya. The extent to which the flight of fantasy of some houourable Members has taken them is something which has surprised me. But I am not very surprised at the kind of insinuations which have been made by a particular Member—I do not wish to name the Member—because perhaps there is a certain feeling that my association with Meghalaya over the last many years where I have been in charge of the election campaigns has brought us on opposite platforms in the election campaigns and in both the elections he lost perhaps because of my campaigning. Let that end with that. But that such insinuations should be made without any ground or any kind of reference something which has surprised me. I have been a Member of this House for eighteen years and I have never sought to change my State. I have never sought

to change either my State or my local affiliation like some other Members have done. I would like to clarify just for the sake of the record a few of these observations which have been made.

The first is it has been said that I and my colleague, Mr. Sangma, went to Meghalaya and the Governor—I don't blame him either; maybe, that is his English—said in his report which has been placed before the House that "the two Ministers staked their claim to form a Government." It is obvious that we went on behalf of the leader of the Congress Party in Meghalaya who had already staked his claim. All that we did was because of the confusion which was prevailing on accounts of the Speaker's ruling ignoring the order of the Supreme Court, to meet the Governor to clarify the position. And we made it very clear to him that the Speaker was not the leader of the Legislature Party; and we also made it clear to him that since both sides, as per the Governor's report. had an equal number of votes on the floor of the House, if one side could form the Government, the other side would also come up and say we can also form the Government with the same number of votes. Therefore, I wish to draw the attention of the House to the report of the Governor himself. And let me point out here that this Governor was not appointed by us. Dr. Rahim who had been appointed by the Congress Government was unceremoniously thrown out by the new regime when they came to power. But we have not returned that compliment. We have allowed this Governor to continue. He is a Governor appointed by the President. I don't say "theirs or ours". He is a Governor appointed by the President. We have allowed him to continue as Governor of the State and perform his duties even though there may have been irritations and differences of opinion at different times. Let me make this very clear. We could have done what they did when they came to power. I shall just take a minute and quote the opinion of the Governor himself when he says very clearly in his report that there are three alternatives. One is that he will dissolve the Assembly. The second is that he will ask the Opposition to form the Government, that is, the Congress. And the third is he will have to have a short term of President's rule and keep the Assembly in animated suspension. It was to the Cabinet and the Central Government. The report came. It was considered by the Cabinet. If we were in such a hurry to form a Government. It was up to the Cabinet presided over by the same Mr. P. V. Narasimha Rao whom somebody now tried to denigrate, to take the decision and to advise the President that we want a Congress Government to be installed and there was nothing that could have stopped the Cabinet at that time from taking that decision. I had gone and Mr. Sangma had gone there and we came back and reported the facts to the Prime Minister. The Prime Minister wanted an independent assessment of the situation. He did not go just by the reports which were given on the telephone or in the newspapers or on the ticker. We went for a day. We met everybody, including the Governor, the Chief Secretary, as well as the members of our party. We assessed the situation and I can tell this House without any hesitation that it was on our assessment and on our report that the Prime Minister took the decision that we should not form the Government, but we should have President's Rule for a short period because of the confusion of numbers at that time. This much credit you should give the P. V. Narasimha Rao Government.... (*Interruptions*).

SHRI MENTAY PADMANABHAM: Article 356 was invoked on the report of the Cabinet Minister. That is very strange... (*Interruptions*)...

SHRIMATI MARGARET ALVA: I do not want to answer that. Three

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alternatives were given by the Governor himself. He did not give an opinion. He presented three alternatives to the Union Government, to the President which was sent to the Cabinet and the Cabinet had to decide which of the three options that the Governor was offering had to be selected. The Government could have chosen the first option which the Governor had presented and that is to form the Congress Government and then after three weeks we could prove the majority on the floor of the House. But we did not choose that. In fact after meeting everybody we found that we did not have the numbers required at that time to prove the majority. We were given three weeks time and in three weeks if you are talking of the type of defection that could be manoeuvred, we could have tried it. But we did not and we advised that Pesident's Rule should be imposed so that the situation could be assessed calmly after the two sides had called a ceasefire. The second thing that I would like to point out is about the Speaker. It is alleged that the Speaker wanted to become the Chief Minister. It is part of the report of the Governor. I would like to emphasise here that the Speaker is not the leader of the Opposition or the Legislature party. I have been the observer in the election of the leader on the floor of the House that is the leader of the Congress Legislature party who is Mr. Lapang, a very senior member of the Congress party. He was also the President of the party there. The Speaker is not the leader of the party and whatever the newspapers or anybody else may say—I am not a judge on what ambitions he may have nurtured in his heart, that is not for me to say—I think it is very unfair on the part of the Governor to say that this was instigated by him because he wanted to become the Chief Minister. He is not the leader of the legislature party and it is for the Congress Party to decide who the Chief Minister will be and not for somebody sitting somewhere to judge who is intending and wanting to be the Chief Minister. We have a leader who has been elected unanimously and Mr. Kyndiah, the Speaker is nowhere in the picture. Therefore this charge is unfounded and not called for. The Speaker is not the leader of the party and I want to reiterate this with all the strength I have. I have been the observor for the elections of the legislature party and my word has to be taken and it has also been announced to the Press as to who the leader of the legislature party is. There is another point which I would like to clarify because a lot has been said about the role of the Speaker. Let me be very clear that at the time when the Speaker took that decision, there was no question of the decision of the Speaker being challenged in the court of law. There is the anti-defection law which was passed by all of us. I do not want to go into that. At various times it had been vey clearly stated that we did not want interference in the powers of the legislature and the Speaker as far as anti-defection law is concerned and that he should be the final authority; otherwise the running of the House would become impossible if there is every time a stay and a vacation and a stay again. This was the feeling and I was a party to that debate. We, all of us, know what the debate was and what was decided. If the Supreme Court has struck down and said something, it is for us to review the law and see what has to be done. I am not going into that today. In view of the Supreme Court's directives, we, all of u, now should apply our minds, work out a consensus to find an alternative way to provide stability to Governments. But Sir, permit me here to say that there was a very stable and a validly elected State Government under the leadership of Mr. Sangma When did the trouble start? A senior member of the Union Government, in 1990—I will give you the dates also—on the 24th and 25th March of 1990, sat in Guwahati and sent for these

leaders from Meghalaya to Guwahati manipulated the entire defection. But, Mr. Sangma, when he realised what had happened, did not even wait to be dismissed. He did not even wait for the Assembly to prove his majority. He honourably resigned. He went to the Governor...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: He honourably resigned.

SHRIMATI MARGARET ALVA:... and honourably said, "Sir, my people have deserted me. They have gone to the other side." In fact, his own Ministers were instigated to defect to the other side, five of th Cabinet Ministers were there, and an alternative Government was installed with the patronage of the then Central Government headed by Mr. V. P. Singh. Not only that. They brought in that Government. But they were nervous because they had done it. And, Sir, the Governor happened to be Mr. Rahim whom the Congress(I) Party had appointed and the next thing they did was that they sacked him and they threw him out and they brought in their own Governor to stabilise so that he would not interfere with what they were doing. This is the history and now you are trying to teach me what is Constitutional and public morality? Let those who are sitting here say that they did not instigate them, that the Home Minister did not call them to Guwahati. It is on record as to how many Ministers want to meet the Home Minister and the next day they issued a statement saying, "We have left the Congress(I) and joined the Opposition.". This is how Mr. Lyngdoh came to occupy the present position. He was the No. 2 man in the Congress(I) whom you made to defect to form the Government of your choice and, today, you are coming and saying that we are doing it and I want to become the Chief Minister of Meghalaya! Can stupidity go beyond this when it is said that an observer who goes there on behalf of the party and on behalf of the Prime Minister is wanting to become the Chief Minister of Meghalaya?

I can tell you one thing. The situation in Meghalaya is changing very fast and the Governor knowns it and the Governor's report will come. I know that they will be coming and going. There are Independents who have now been qualified and who now feel that they do not want to be where they are, but would like to be on the other side because now there is no disqualification—you can come and go—and. therefore, the situation in the next few days will have to be watched; the situation has not crystallized. I can tell you. Mr. Dentiot, who has been mentioned, attended the legislature party meeting yesterday for the election of the Congress (I) leader. I was there as an observer yesterday. We have fought the byelection in the Garo Hills also and we have won, the Congress has won. And, Sir, since there is no problem of the Independents going where they want, all the five Independents who have been requalified are now wanting to come back to the Congess(I) and support the Congress(I) and, therefore, I am saying that there is nothing definite about as far as the five Independence are concerned. I want to read out the Governor's report wherein it is very clearly stated that even if you take into account the five Independents. they will not be able to form the Government because their loyalty cannot be predicted. This is the report of the Governor. He himstlf has said that the loyalty of the five Independents "cannot be predicted and I am not able to say where they stand even today"... This is the report of the Governor himself, not mine. Under these circumstances, what alternative the Government had and Shri Narasimharaoji had except to say that he was not interested in the topping game or otherwise, but the Governors opinion to keep the Asembly in animated suspension might be accepted? And, so, President's Rule was imposed. Mr. Lyngdoh had said that he was organizing an Opposition rally, that

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the whole of Meghalaya would come to a standstill and that he would organize the rally on the ground, on the biggest ground, available there. Two hundred people attended the rally and it is said that 50 per cent of them were plainclothes policemen! Not even two hundred people could be mobilised to oppose the imposition of Presidents Rule in Meghalaya. They talked of fighting the by election in the Garo Hills on the question of imposition of President's Rule and Mr. Lyngdoh's party lost its deposit! We have won with the largest majority ever in the history of Meghalaya in any Assembly election. Is it because my Government or my Governor was there? It is the Lyngodh Governmen which they are condemning now. I was there and everybody said that for the first time in two years there was at least supply of ration in the fair price shops People are celebrating that at least rations are reaching today the fair price shops in Meghalaya which was not so ever since they came to power. Everything has happened. And I know you will try to blame us. But I wanted to make the facts very clear. I am not seeking to be the Chief Minister of Meghalaya. We had not tried to topple that Government. The Speaker is not the leader of the Congress Legislature Party. We have our own leader. And the Central Government only chose one of the alternatives provided by the Governor himself, the least controversial one. And here I can tell you that Mr. Sangma and I called on the Governor. It was a courtesy call. We told him what we felt. And we only said this that if the other side can carry on with 27 people without the Speaker, we can also carry on the Government with 27 people and the Speaker. And, therefore, the question at that time of the Supreme Court order or judgment was not there. It has now come. In the meantime, our numbers have also changed and, therefore. the Governor is watching the situation. And I can tell you. I was in Meghalaya yesterday. I did not go to the Governor

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pressurise the Governor. I did not call on him. I attended a Party meeting. I met all the officials to make sure that supplies and all other requirements are reaching Meghalaya; the Prime Minister wanted to make sure that the situation was under control. And that is where it stands. Therefore, if there has been any misunderstanding or any drafting error in the report of the Governor, I am not responsible. I have stood here before you just to clarify because I have gone through the record and I am surprised at the way in which I have been dragged in. And one Member has gone to the extent of saying that I went there, the Prime Minister was very upset about it, the Home Minister did not know about it, and Mr. Jacob was too decent to interfere with it. And I am the only indecent person who seems to have gone there!

Sir, I went with the special instructions of the Prime Minister and with the specific knowledge of the Home Minister. And I want to go on record to say that Mrs. Alva has no ambition of any kind except to ensure stability in the North-East and guarantee that we have Governments which have a commitment to the national cause and not to narrow, local interests like some people have been projecting.

Thank you, Sir.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Hon. Members, the Minister of State for Finance, Shri Rameshwar Thakur has to make a statement on the Notification relating to the National Housing Bank—Voluntary Deposits Scheme, 1991, and regarding the Remittances of Foreign Exchange and Investment in Foreign Exchange Bonds Scheme. (*Interruptions*).

SHRI JAGESH DESAI (Maharashtra): Sir, in the morning, I raised the issue regarding the third devaluation.

Sir, it is a very damaging report. It has come from Washington, and the name of the correspondent is also given. If this kind of reports come and the Government is not coming with a statement, foreign exchange remittances will be stopped, and our whole economy and the foreign exchange position will be completely in jeopardy. That is why, I would like to ask the hon. Minister that he should make a statement so that this matter can be cleared and the doubts can be removed.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Let him make the statement first.

SHRI AJIT P. K. JOGI (Madhya Pradesh): Sir, all of us are concerned about it. Since he is making a statement, let him also clarify this point which was raised in the morning.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Let him make his statement first.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR THAKUR): I am going to respond to that also. (*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA) Let him make the statement first. And if the House so desires, then we can have the clarifications tomorrow.

SOME HON. MEMBERS: No, no. Not tomorrow.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): I shall take the sense of the House and then I shall decide.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Sir, I am on a point of order. There is utter panic in the Bombay financial market.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): He is making a statement.

SHRI SUKOMAL SEN: Sir, I am on a point of order.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): On the statement itself?

SHRI SUKOMAL SEN: Yes.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Mr. Minister, he is on a point of order.

SHRI SUKOMAL SEN: Sir, usually the practice is: when the Minister comes out with a statement in the House an announcement is made beforehand and Members get ready to ask clarifications. But all of a sudden and without any notice the Minister has started reading the papers. (*Interruptions*)

SHRI VISHVJIT P. SINGH: No. Notice was given and it was announced in the House...(*Interruptions*).

SHRI MENTAY PADMANABHAM: It was not announced in the House (*Interruptions*)

SHRI SUKOMAL SEN: It is not a proper way of running the House. (*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Therefore, I suggested that let him make the statement today and the Members will have the privileges to seek clarifications tomorrow.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: This is important. We cannot wait till tomorrow. (*Interruptions*).

SHRI MENTAY PADMANABHAM: Opportunity to seek clarifications may be given tomorrow. (*Interruptions*).

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Let me take the sense of the House. (*Interruptions*). Let me take a decision. (*Interruptions*).

SHRI SUBRAMANIAN SWAMY: They are panicky on the question of devaluation. No devaluation is going to take place. (*Interruptions*).

SHRI MENTAY PADMANABHAM: Sir, let the Minister make the statement today and the Members should be given opportunity to seek clarifications tomorrow. (*Interruptions*).

THE VICE--CHAIRMAN (DR. NAGEN SAIKIA): Then the sense of the House is that the Members will seek clarifications tomorrow.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: We want clarifications tomorrow.

SHRI JAGESH DESAI: It cannot be dragged on. (*Interruptions*).

SHRI MURLIDHAR CHANDRAKANT BHANDARE: We must have clarifications today.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Yes, Mr. Thakur.

SHRI MENTAY PADMANABHAM: What is the decision? Are you going to allow the Members of this House to seek clarifications tomorrow or not? What is your decision? (*Interruptions*).

SHRI S. S. AHLUWALIA: This is an important subject. We should ask clarifications today itself because the reply of the Minister will go to the entire world. (*Interruptions*).

SHRI MENTAY PADMANABHAM: Let them do whatever they like. If this is the way of running the House, then there is no question of sitting in the House. All of a sudden the Minister is coming in the House and making a statement. Members are denied their right to seek clarifications. (*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Let me make..(*Interruptions*). The Minister will make his statement today and clarifications will take place tomorrow.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You have not taken the sense of the House. (*Interruptions*).

SHRI MENTAY PADMANABHAM: This is the sense of the Congress party, not of the House (*Interruptions*).

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Sir, take the sense of the House. (*Interruptions*).

SHRI MENTAY PADMANABHAM: That is the view of the Congress party. That is not the view of the House. (*Interruptions*). You don't follow the procedure. You want to impose assertions on the House. (*Interruptions*).

SHRI S. S. AHLUWALIA: Looking at the importance of the subject, we should ask clarifications today. (*Interruptions*)

SHRI MENTAY PADMANABHAM: This is the view of the ruling party. We have no objection. But this is not the sense of the House. (*Interruptions*)

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): There is a problem. I have come to know that this statement has already been made in the other House. Therefore he wants to make this here today. Let him make the statement.

SHRI MENTAY PADMANABHAM: Let us understand the position. Let the Minister make his statement today but the clarifications may be postponed for tomorrow. That is what we want. We are not objecting to the Minister making a statement. Let all the Members have the opportunity to seek clarifications. (*Interruptions*).

SHRI JAGDISH PRASAD MATHUR: How is the Minister making a statement when we didn't know about it? We can seek clarifications only tomorrow in that case.

SHRI HARVENDRA SINGH HANSPAL (Punjab): You take the sense of the House and then give your ruling.

SHRI JAGDISH PRASAD MATHUR: If they have to make a statement in the House, they should have informed us. We do not have any information about it.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): If the majority of the Members desire that clarifications should be today only, then...

SHRI JAGDISH PRASAD MATHUR: Sir, the Minister has made a statement in the other House. In the meantime, the Government could have informed this House also that this statement has to be made here today. Why should we suffer? Therefore, we would have clarifications tomorrow. Had the Government come to the House originally and informed us, we could have accepted it. But having made a statement in the other House, why did the Government not inform this House so far? Why did they fail to do so?

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): So, if the majority of Members desire that clarifications should take place today, then we shall have it today. I think the majority of the Members are in favour of having clarifications today only.

SHRI MENTAY PADMANABHAM: What is your ruling?

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): I shall have to take the sense of the House.

SHRI MENTAY PADMANABHAM: The treasury benches want the statement as well as the clarifications *today* whereas we on this side want that let the Minister make the statement today but seeking clarifications may be postponed for tomorrow.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): My decision will be on the willingness of the majority of Members.

SHRI JAGDISH PRASAD MATHUR: I want to know why the Government failed to inform the House about the statement. I want an explanation from the Government. Why did they not inform the House earlier that the statement was to be made in this House? We want this clarification from the Government. Let the Minister make a statement; but you ask the Government to explain.

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : प्वाइंट आफ आर्डर। मेरा यह प्वाइंट आर्डर माथुर साहब के प्वाइंट आफ आर्डर पर है। महोदय, माननीय माथुर जी सदन में प्रश्न:*

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): That is not a point of order. Please sit down. This will not go on record.

DR. RATNAKAR PANDEY:*

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): You also should not kill the time of the House. Kindly sit down. Mr. Dipen Ghosh.

(**The Deputy Chairman** in the Chair).

THE DEPUTY CHAIRMAN: What is the problem? Let me hear the Member who is on his feet.

SHRI DIPEN GHOSH: There is another point.

THE DEPUTY CHAIRMAN: What we can do today why should we postpone it to tomorrow? ...(*Interruptions*)... Let me hear. Yes, Mr. Dipen Ghosh.

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*Not recorded.

SHRI DIPEN GHOSH: The Minister of State for Finance Shri Rameshwar Thakur has made a statement in the Lok Sabha. Naturally, the Lok Sabha Secretariat had got the information that the Minister of State for Finance will be making a satement. Was it not incumbent on the part of the Government to inform the Rajya Sabha Secretariat also that he would be making that statement in the Rajya Sabha so that the notice could be circulaed that at so-and-so time the Minister of State for Finance would make the statement and the Members could prepare themselves to seek clarifications? This is one point. This particular procedure was not followed in this regard. Suddenly, when Meghalaya discussion was going on, the Minister of State for Finance appeared and we was asked to make a statement. The question is that we were in the midst of a discussion on a very important issue. Yet that was kept adjourned for facilitating the Minister of State for Finance to make the statement because otherwise he would have defaulted to make the same statement in this House.

THE DEPUTY CHAIRMAN: It is a technical problem.

SHRI DIPEN GHOSH: But our plea is that whatever procedural failure was there, we can condone it. But let the Minister make the statement and let the Members' clarifications be taken up tomorrow because it is already 530. We are closing at 6.00 p.m. Don't take it very seriously that you have to take the consensus of the House. If some Members are prepared to seek clarifications, let them speak, but keep it adjourned. You allow us to study the things because it is an important issue... (*Interruptions*)

THE DEPUTY CHAIRMAN: Let Mr. Jagesh Desai also have his say.

SHRI JAGESH DESAI: This is a very simple statement. No further facts are required. It is just for a further extension of two months. What is there in the statement? What do you have to ask?... (*Interruptions*)

SHRI MENTAY PADMANABHAM: He asks what is there in the statement. It may be sober to you.

THE DEPUTY CHAIRMAN: Please. When Mr. Dipen Ghosh was speaking, everybody listened to him in pin-drop silence. Mr. Jagesh Desai has his own view-points. You may not agree with him. But let him have his say. And he is a reasonable person.

SHRI JAGESH DESAI: There is no requirement to make a deep study. It is only that it was entered for four months and the Government wants to give four months for purposes of remittances. That is all. Nothing else is there. What is there to be stated in this? Why do you want to postpone?... (*Interruptions*)

SHRI MENTAY PADMANABHAM What is your objection?

SHRI JAGESH DESAI: If it is required that you have to go in for more study then I understand it. But only for the purpose o postponing it or some reason or the other, I don't think it is fair.

THE DEPUTY CHAIRMAN: The Members should have been there, that is not the point. When the House is in session, it is obligatory on the Members to be present here... (*Interruptions*).

The Government is absolutely in its right to come and bring any statement at any point of time. Nobody is taking... (*Interruptions*) Just a

minute. Nobody is taking the right of the Members to seek clarications. These two points are very clear. Now, those Members who are here, they can seek clarifications.

SHRI DIPEN GHOSH: Yes, the Members are supposed to remain till the House is adjourned. But that is why there is a procedure to inform the Members about the agenda of the business.

THE DEPUTY CHAIRMAN: That is what I am saying, Mr. Dipen Ghosh... (*Interruptions*)

SHRI DIPEN GHOSH: That procedural failure was there.

THE DEPUTY CHAIRMAN: I will tell you one thing. Sometimes it happens that certain businesses come suddenly. Now suddenly if the business comes, you cann't imagine what will be in the evening. It generally does not come... (*Interruptions*)

SHRI JAGESH DESAI: Madam, in the morning... (*Interruptions*)

THE DEPUTY CHAIRMAN: Let him make his point also. I will allow you also.

SHRI JAGESH DESAI: In the morning, I raised the question about the third devaluation. If the Minister is not going to clarify today, from tomorrow we shall not get remittances. Will they agree to it? On that point, the Minister has agreed to clarify. That is why I say that it should be taken up today. (*Interruptions*)

THE DEPUTY CHAIRMAN: You should all understand. Let us not get into the tangle of what should have been done. The Government can come and make a statement any time before the House adjourns. It is not that I have adjourned the House, then the Minister comes and says that he wants to make a statement and I allow it. The House is in Session.

SHRI SUKOMAL SEN: We are not opposing it. (*Interruptions*)

SHRI VISHVJIT P. SINGH: Madam, hon. Members may kindly remember that at least on ten occasions in the past about two years, I had, myself, sitting on those very benches, got up and objected to statements being made by Ministers. But the House said 'No'. The House said that it was an important Business and that the Minister had the right to make a statement. We had ourselves conceded and said 'Let the Minister make the statement'. I can mention the names. (*Interruptions*). It has happened. Mr. Ghosh himself had got up in support of various Ministers. I can cite the occasions. I can produce the record to prove it. Therefore, I do not think, at this juncture, when such an important statement is being made, when the question of foreign exchange for the country is involved, we should ....

THE DEPUTY CHAIRMAN: May I read out the letter? It says—I will read only a part of it because I do not want to waste the time of the House—'As the matter is sensitive, it need not be included in the List of Business'. The matter is sensitive. I understand the difficulties. But please co-operate.

SHRI MENTAY PADMANABHAM: We are not preventing the Minister from making the statement. We only want this facility of seeking clarifications tomorrow. Let it be postponed to tomorrow. What is the difficulty about it? I cannot understand.

THE DEPUTY CHAIRMAN: You can seek clarifications tomorrow. But you cannot say that those who are not present here today will have the right to seek clarifications tomorrow. (*Interruptions*)

SHRI MENTAY PADMANABHAM: The Deputy Chairman wanted to elicit the opinion of the House. That is why I said that.

THE DEPUTY CHAIRMAN: You can give the names to me. I will allow you to seek clarifications tomorrow.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I have to seek clarifications today itself.

THE DEPUTY CHAIRMAN: Those who want to seek clarifications today can do so today. Those who want to seek clarifications tomorrow can do so tomorrow. But those who are not present here today cannot come here tomorrow and say that they want to seek clarifications. That is not the procedure.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I want the reply for my clarifications today itself.

SHRI JAGESH DESAI: In regard to the report about the third devaluation, it must be clarified today itself. (*Interruptions*)

THE DEPUTY CHAIRMAN: Let the statement be made first. (*Interruptions*)

STATEMENT BY MINISTER

Foreign Exchange Remittances and India development bonds schemes

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR THAKUR): In his budget speech on 24-7-91, Finance Minister had announced two schemes for attracting foreign exchange from abroad in the form of remittances of foreign exchange and foreign exchange bonds. Even though the Finance Minister had announced that the two schemes will come into effect immediately, after the budget speech, it was represented to Government that before the schemes were formally launched, the necessary liminities to be granted for the purposes of these two schemes should first be given effect to by the passage of the relevant legislation in the Parliament. Accordingly, the Remittances of Foreign Exchange and Investment in Foreign Exchange Bonds (Immunities and Exemptions) Act, 1991 (41 of 1991) was passed by this august House in the first half of September, 1991, and the Act received the Presidential assent on 18-9-91.

Initially it had been the intention of the Government to allow atleast 4 months time for the operation of these two schemes, so that there would be sufficient time for the information regarding these two schemes to reach the Non-resident Indians in all the corners of the World and to allow them sufficient time to send the remittances, or to invest in the bonds. The time actually available after the Presidential assent has been just over two months and we have received a number of representations from Non-resident Indians, and their relatives in India requesting for an extension of these two schemes. The Indian High Commissioner at London and other Indian Embassies and High Commissioners have also pressed for the extension of these two schemes at least by two more months.

In the light of these request and representations, and in keeping with the original intention of the Government to allow at least 4 months time for these schemes to operate, it has been decided to extend these two schemes upto 31st January 1992.

As a result, the specified date for the purpose of remittances in Section 2(1)(b), and in Section 5(1) of the Remittances of Foreign Exchange and Investment in Foreign Exchange Bonds (Immunities and Exemptions) Act, 1991 has, by a Gazette notification today, been specified as 1st February 1992, before which the remittances should be received in India, or the investments in Foreign Exchange Bonds should be made abroad. A